

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2005-333-T

IN RE:

Petition of the Office of Regulatory)	
Staff to Revoke the Certificate of)	MOTION FOR IMMEDIATE
Public Convenience and Necessity of)	SUSPENSION OF CERTIFICATE
Michael Julian Carter)	OF PUBLIC CONVENIENCE AND
For Failure to Maintain and File)	NECESSITY
Evidence of Insurance)	

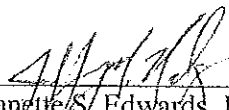
The Office of Regulatory Staff, by the filing of this Motion would respectfully
 show and request of the Commission:

1. That contemporaneously with this Motion, the Office of Regulatory Staff ("ORS") did file with the Commission a Petition For Rule to Show Cause in the above captioned matter requesting the Commission to schedule a formal administrative hearing to revoke the Certificate of Public Convenience and Necessity of Michael Julian Carter (herein "Michael Julian Carter" or "the Company").
2. That as shown in attachments to that Petition, the ORS evidenced that Canal Insurance Company cancelled the motor carrier insurance policy of Michael Julian Carter effective May 15, 2006.
3. That as further shown and alleged in the Petition of the ORS in this case, Michael Julian Carter has failed to respond to the request of the ORS to

provide evidence of insurance since the date of the cancellation of its policy with Canal Insurance Company.

4. That 26 S.C. Code Regs. 103-175 (Supp. 2005) provides that "Either a failure to file evidence of insurance or surety bond or failure to keep all insurance or bonds in full force and effect shall be just cause for the Commission without further evidence or hearing, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier."
5. That although a full evidentiary hearing will be set by the Commission in this matter, until such hearing is held and an order issued by the Commission, Michael Julian Carter may continue to operate as a licensed motor carrier in this state without any form of insurance, unless some immediate action is taken by this Commission.
6. That while this matter is awaiting a hearing before the Commission, such continued operation by Michael Julian Carter without any form of insurance is contrary to the public interest as an uninsured motor carrier may pose a threat to customers of the Company and the general public, who would be unaware of Michael Julian Carter's lack of insurance.

WHEREFORE, the ORS staff prays that this Honorable Commission immediately and without further evidence or hearing suspend, pursuant to 26 S.C. Code Regs. 103-175 (Supp. 2005), the Certificate of Public Convenience and Necessity, Number 7630, of Michael Julian Carter (issued under Order No. 2005-623 in Docket 2005-333-T) and for such other appropriate action which the Commission may deem necessary and proper.



Nannette S. Edwards, Esquire
Jeffrey M. Nelson, Esquire
Office of Regulatory Staff
PO Box 11263
Columbia, SC 29211

May 23, 2006
Columbia, SC

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2005-333-T

IN RE: Petition of the Office of Regulatory)
Staff to Revoke the Certificate of)
Public Convenience and)
Necessity of Michael Julian Carter)
For Failure to Maintain)
and File Evidence of Insurance)
_____)

CERTIFICATE OF SERVICE

This is to certify that I, Pamela J. McMullan, have this date served one (1) copy of the **MOTION TO DISMISS** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Michael Julian Carter
4920 Greenfield Lane
Longs, SC 29568



Pamela J. McMullan

May 23, 2006
Columbia, South Carolina